

5.07W0696

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
RECEIVED - SHREVEPORT

MAY 08 2007

ROBERT H. SHEMWEILL, CLERK
BY PC DEPUTY

7004 2890 0002 1469 9582

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$	Postmark Here 5-1-07
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage		

Sent To
Street, Apt. No.,
or PO Box No.
City, State, ZIP

CT Corporation System
8550 United Plaza Blvd.
Baton Rouge, LA 70809
204.00004
Ballance

PS Form 3800, 1-06

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

CT Corporation System
8550 United Plaza Blvd.
Baton Rouge, LA 70809
204.00004

2. Article Number

(Transfer from service label)

7004 2890 0002 1469 9582

PS Form 3811, February 2004

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x Shawna Smith

- ☐ Agent
☐ Addressee

B. Received by (Printed Name)

Shawna Smith

C. Date of Delivery

5/2/07

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

Domestic Return Receipt

102595-02-M-1540

5:07cv00893

RETURN OF SERVICE		
Service of the Summons was made by me	DATE May 1, 2007	
NAME OF SERVER (<i>PRINT</i>) J.R. Whaley	TITLE Attorney at Law	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 10px;"> <input type="checkbox"/> Served personally upon the defendant. Place where served: <div style="border-bottom: 1px solid black; height: 15px; width: 100%;"></div> <div style="border-bottom: 1px solid black; height: 15px; width: 100%;"></div> </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: <div style="border-bottom: 1px solid black; height: 15px; width: 100%;"></div> </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Return unexecuted: <div style="border-bottom: 1px solid black; height: 15px; width: 100%;"></div> <div style="border-bottom: 1px solid black; height: 15px; width: 100%;"></div> </div> <div> <input checked="" type="checkbox"/> Other (specify): Summons, Complaint and Waiver of Service were mailed to: MERCK & CO., INC. via Certified Mail - Return Receipt Requested. The letter forwarding Summons, Complaint and Waiver of Service and domestic certified return receipt are attached hereto. </div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and State of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 40%;"> <p>Executed on <u>May 1, 2007</u> Date</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> U. S. DISTRICT COURT WESTERN DISTRICT OF LOUISIANA RECEIVED - SHREVEPORT MAY 08 2007 </div> <p>ROBERT H. SHELWELL, CLERK BY <u> </u> DEPUTY</p> </div> <div style="width: 55%; text-align: center;"> Signature of Server P.O. Box 1190 Alexandria, LA 71309-1190 Address of Server </div> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

RICHARD J. ARSENAULT *
C. MICHAEL BOLLINGER
DAVID O. WALKER **
PAUL J. TELLARICO
WILLIAM S. NEBLETT ***
MICHAEL S. KOCH
WESLEY J. GRALAPP
GARY J. ARSENAULT
EDWARD E. ROBERTS, III
STEVEN M. RACHAL
JOHN R. WHALEY
JEAN PAUL OVERTON

A REGISTERED LIMITED LIABILITY PARTNERSHIP, INCLUDING LAW CORPORATIONS

ROBERT B. NEBLETT (1991)
RICHARD W. BEARD (1988)

* LAW CORPORATION
ALSO ADMITTED IN
COLORADO, TEXAS
AND WASHINGTON, D.C.
** LAW CORPORATION
ALSO ADMITTED IN TEXAS
*** ALSO ADMITTED IN TEXAS

May 1, 2007

J. PHILLIP TERRELL, JR.
OF COUNSEL

Via Certified Mail - Return Receipt Requested

CT Corporation System
8550 United Plaza Blvd.
Baton Rouge, LA 70809

Re: Civil Action No. 5:07cv0696
Sherri Ballance v. Merck & Co., Inc.

To Whom It May Concern:

Enclosed please find the following:

1. Notice of Lawsuit and Request for Waiver of Service of Summons;
2. Waiver of Service of Summons;
3. Original Summons sealed by the Court;
4. A copy of the filed Complaint;
5. Self-addressed, stamped envelope.

In your capacity as registered agent for service of process for **Merck & Co., Inc.**, and in compliance with F.R.C.P. Rule 4, have the Waiver of Service of Summons completed and return to me in the enclosed self-addressed, stamped envelope provided.

Sincerely,

J.R. WHALEY

JRW/jmo
Enclosures


cc: Ms. Sherri Ballance
Mr. Eskridge E. "Sam" Smith, Jr.

RICHARD J. ARSENAULT *
C. MICHAEL BOLLINGER
DAVID O. WALKER **
PAUL J. TELLARICO
WILLIAM S. NEBLETT ***
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*** ALSO ADMITTED IN TEXAS

J. PHILLIP TERRELL, JR.
OF COUNSEL

Honorable Robert H. Shemwell
Clerk, USDC
Western District of Louisiana
1167 U.S. Courthouse
300 Fannin Street
Shreveport, LA 71101

Re: Civil Action No. 5:07-cv-0696
Sherri Ballance v. Merck & Co., Inc.

Dear Mr. Shemwell:

Enclosed for filing is a completed Return of Service of Summons and Complaint on Merck & Co., Inc.

With best regards, I am

Sincerely,


J.R. WHALEY

JRW/jmo
Enclosures

cc: Ms. Sherri Ballance
Mr. Eskridge E. "Sam" Smith, Jr.